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Docket No.: 4459-130

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Bernd Karl APPELT *et al.*

U.S. Patent Application No. 10/667,605

Filed: September 23, 2003

For: OVERMOLDED OPTICAL PACKAGE

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:
: Confirmation No. 9744
:
: Group Art Unit: 2811
:
: Examiner: Vu, Quang D.

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

By Official Action mailed *September 1, 2004*, restriction to one of the following inventions is required:

Group I: Claims 1-5, 10-15, and 20-24, drawn to an optical semiconductor package, classified in class 257, subclass 678.

Group II: Claims 6-9 and 16-19, drawn to a method for manufacturing an optical semiconductor package, classified in class 438, subclass 106.

In response, Applicants hereby elect *Group I*, upon which claims 1-5, 10-15, and 20-24 are readable.

The election is made *with traverse* because the search and examination of the entire application can be made without serious burden. Inventions II and I are related as process of making and product made. In the relevant art, i.e., semiconductor device design and fabrication,

Received in
CFC 10-01-4

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references often describe both the semiconductor device's structure and manufacturing method, as will be apparent to the Examiner upon conducting a search for prior art. Therefore, both Inventions I and II can be covered in a single search. Accordingly, Applicants respectfully submit that the search and examination of the entire application can be made without serious burden on the Examiner.

In view of the above, withdrawal of the Restriction Requirement and consideration of all claims pending in the instant application are believed appropriate and therefore courteously solicited.

Early examination on the merits is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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